

PATENT
2950-0141P

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Je H. LEE et al.

SERIAL NO.: 09/118,824
(Subsequently reissued as U.S. RE38,868 on
November 8, 2005)
(Reissue of U.S. Patent No. 5,587,789, which issued on
December 24, 1996)

FILED: July 20, 1998

FOR: APPARATUS AND METHOD FOR CONTROLLING
RECORDING AND REPRODUCTION IN DIGITAL
VIDEO CASSETTE TAPE RECORDER

SWORN STATEMENT OF DAE SUL SHIM

I, Dae Sul Shim, hereby declare as follows:

My name, residence and citizenship are indicated below.

I am currently a Senior Manager of the Intellectual Property Center, for LG Electronics Inc. ("LGE"). In 1998, I was a member of the Multimedia Patent Team. As a member of the Multimedia Patent Team, I assisted in the preparation and filing of materials related to reissue application 09/118,824 ("the '824 Reissue Application"), which reissued as U.S. RE38,868 on November 8, 2005.

At the time the '824 Reissue Application was prepared, one of the co-inventors, Mr. Je Hyung Lee, had left LGE and was studying at the University of Michigan. To complete the execution of the Combined Reissue Declaration and Power of Attorney for the '824 Reissue Application (the "Reissue Declaration"), I sent a copy of that document to Mr. Lee by facsimile. I also sent Mr. Lee an e-mail

explaining the substance of the Reissue Declaration and asking Mr. Lee to execute the facsimile and return it to me. Mr. Lee responded to my e-mail stating that he had not received my facsimile. After additional attempts to communicate by facsimile failed, Mr. Lee sent me an e-mail stating that he understood the Reissue Declaration based upon my description, and that he authorized that the declaration be signed on his behalf.

In view of his authorization, and also in view of my understanding at that time that such a signature procedure was acceptable, I had the Reissue Declaration signed on behalf of Mr. Lee. I understand and believe that the other three co-inventors, Messrs. Mr. Soo Kyung Kim, Sang Joon Woo and Mr. Tae Seok Yang, personally signed the Reissue Declaration.

I understand and believe that this signed Reissue Declaration was filed with the U.S. Patent and Trademark Office ("USPTO") on July 20, 1998.

The procedure described above for signing on behalf of Mr. Lee with his authorization was undertaken in good faith and without any deceptive intent. I understood at the time that I was simply carrying out the intent of Mr. Lee as he had communicated it to me.

I have now been informed that an inventor must personally affix his signature to his declaration. In view of this information, I am informed and believe that LGE has obtained the original signature of Mr. Lee on a Supplemental Declaration.

I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed by me to be true. These statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of RE38,868 that reissued from the '824 Reissue Application.

Dae Sul SHIM

Signature: *Dae Sul Shim*

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